

10-8145 SMITH V. CAIN

DECISION BELOW: 45 So.3d 1065

LOWER COURT CASE NUMBER: 378-343

QUESTION PRESENTED:

In this Louisiana criminal case, the state trial court, the Louisiana Fourth Circuit Court of Appeal, and the Louisiana Supreme Court, without making any factual findings, or providing any reasons for their rulings, denied Petitioner Juan Smith post-conviction relief. Smith contends that the Louisiana state courts reached this result only by disregarding firmly--established precedents of this Court regarding suppression of material evidence favorable to a defendant and presentation of false or misleading evidence by a prosecutor.

- I. **Is there a reasonable probability that, given the cumulative effect of the *Brady* and *Napue/Giglio* violations in Smith's case, the outcome of the trial would have been different?**
- II. **Did the Louisiana state courts ignore fundamental principles of due process in rejecting Smith's *Brady* and *Napue/Giglio* claims?**

Petitioner Juan Smith respectfully requests that this Court issue a writ of certiorari to review the decision of the Louisiana Supreme Court.

CERT. GRANTED 6/13/2011